

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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DATE FILED: 8/17/2015

ILEEN CAIN,

Plaintiff,

– against –

MANDL COLLEGE OF ALLIED HEALTH and  
MEL WEINER,

Defendants.

**OPINION AND ORDER**

14 CIV. 1729 (ER)

RAMOS, D.J.:

On May 29, 2015, this Court granted the motion to dismiss filed by Mandl College of Allied Health and Mel Weiner (“Defendants”) in the above-captioned action, without prejudice. Doc. 27. In its Order, the Court granted Ileen Cain (“Plaintiff”) leave to amend her pleadings, *see id.* at 17, which she did on July 6, 2015. Doc. 30.

On August 11, 2015, Defendants filed a motion to dismiss Plaintiff’s Amended Complaint. Doc. 32. However, Defendants failed to comply with this Court’s Individual Rules of Practice, which require Defendants to request a pre-motion conference with the Court before making their motion. In seeking a pre-motion conference, the moving party must submit a letter to the Court setting forth the basis for the anticipated motion.

Therefore, Defendants' motion to dismiss is DENIED, without prejudice. The Clerk of the Court is respectfully directed to terminate the motion, Doc. 32. If Defendants wish to refile a motion to dismiss, they are advised to refer to the Court's Individual Rules of Practice, with which they must comply.

It is SO ORDERED.

Dated: August 17, 2015  
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written above a horizontal line.

EDGARDO RAMOS, U.S.D.J.